United Nations Convention on the Law of the Sea SPLOS/264

Meeting of States Parties

Distr.: General
17 March 2014

Original: English

Twenty-fourth meeting
New York, 9-13 June 2014

Election of seven members of the International Tribunal for the Law of the Sea

Note by the Registrar of the International Tribunal for the Law of the Sea on the election procedures

I. Election of seven members of the Tribunal

1. In accordance with article 5, paragraph 1, of the Statute of the Tribunal (annex VI to the United Nations Convention on the Law of the Sea), the members of the Tribunal shall be elected for nine years and may be re-elected, provided, however, that of the members elected at the first election, the terms of seven members shall expire at the end of three years and the terms of seven more members shall expire at the end of six years.

2. The first election of members of the Tribunal by the Meeting of States Parties was held on 1 August 1996. The seven members whose terms expired at the end of three years and the seven members whose terms expired at the end of six years were determined by the Meeting of States Parties in accordance with the procedure set out at its fifth meeting, in 1996, (SPLOS/L.3/Rev.1), consistent with article 5, paragraph 2, of the Statute. Triennial elections of seven members of the Tribunal were held in 1999, 2002, 2005, 2008 and 2011.

3. The triennial elections held from 1999 to 2008 were conducted in accordance with the procedure determined by the Meeting of States Parties at its fifth meeting (ibid.). The election held in 2011 was conducted in accordance with the procedure determined by the Meeting of States Parties at its nineteenth meeting (SPLOS/201).

4. The members presently serving, along with their nationalities and terms of office, are listed in the annex to the present note.

5. Pursuant to article 2 of the Rules of the Tribunal, the term of office of members elected at a triennial election begins to run from 1 October following the date of the election.

14-26702 (E) 010414

Please recycle

6. The election to fill the places of seven members whose terms of office expire on 30 September 2014 will be held during the twenty-fourth Meeting of States Parties, which will be held in New York from 9 to 13 June 2014.

7. A list of all persons nominated, in alphabetical order, with an indication of the States parties which have nominated them, prepared by the Registrar in accordance with article 4, paragraph 2, of the Statute, is being circulated to States parties (SPLOS/265), as are the curricula vitae of the nominated candidates (SPLOS/266).

II. Procedure

8. Pursuant to article 4, paragraph 4, of the Statute, the members of the Tribunal shall be elected by secret ballot at a meeting of States parties convened by a procedure agreed to by the States parties. Two thirds of the States parties shall constitute a quorum at such meeting. Article 4, paragraph 4, of the Statute further stipulates that the persons elected to the Tribunal shall be those nominees who obtain the largest number of votes and a two-thirds majority of the States parties present and voting, provided that such majority includes a majority of the States parties.

9. Articles 2 and 3 of the Statute provide as follows:

Article 2
Composition

1. The Tribunal shall be composed of a body of 21 independent members, elected from among persons enjoying the highest reputation for fairness and integrity and of recognized competence in the field of the law of the sea.

2. In the Tribunal as a whole the representation of the principal legal systems of the world and equitable geographical distribution shall be assured.

Article 3
Membership

1. No two members of the Tribunal may be nationals of the same State. A person who for the purposes of membership in the Tribunal could be regarded as a national of more than one State shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

2. There shall be no fewer than three members from each geographical group as established by the General Assembly of the United Nations.

10. In 2009, the nineteenth Meeting of States Parties approved the "Arrangement for the allocation of seats on the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf" (see SPLOS/203, paras. 96-102). According to the arrangement (see SPLOS/201):

1. The allocation of seats of the International Tribunal for the Law of the Sea shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats. From the next election, the Tribunal shall have the following composition:

(a) Five members of the Tribunal shall be from the Group of African States;

(b) Five members of the Tribunal shall be from the Group of Asian States;

(c) Three members of the Tribunal shall be from the Group of Eastern European States;

(d) Four members of the Tribunal shall be from the Group of Latin American and Caribbean States;

(e) Three members of the Tribunal shall be from the Group of Western European and other States;

(f) The remaining one member of the Tribunal shall be elected from among the Group of African States, the Group of Asian States and the Group of Western European and other States.

...

3. The above arrangements do not prejudice or affect future arrangements for elections.

Annex

Members of the International Tribunal for the Law of the Sea and their terms of office

Name	*Nationality*	*Date of expiry of term of office*
President		
Shunji Yanai	Japan	30 September 2014
Vice-President		
Albertus Jacobus Hoffmann	South Africa	30 September 2014
Judges		
Vicente Marotta Rangel	Brazil	30 September 2017
L. Dolliver M. Nelson	Grenada	30 September 2014
P. Chandrasekhara Rao	India	30 September 2017
Joseph Akl	Lebanon	30 September 2017
Rüdiger Wolfrum	Germany	30 September 2017
Tafsir Malick Ndiaye	Senegal	30 September 2020
José Luis Jesus	Cabo Verde	30 September 2017
Jean-Pierre Cot	France	30 September 2020
Anthony Amos Lucky	Trinidad and Tobago	30 September 2020
Stanislaw Michal Pawlak	Poland	30 September 2014
Helmut Türk	Austria	30 September 2014
James Luta Kateka	United Republic of Tanzania	30 September 2014
Zhiguo Gao	China	30 September 2020
Boualem Bouguetaia	Algeria	30 September 2017
Vladimir Vladimirovich Golitsyn	Russian Federation	30 September 2017
Jin-Hyun Paik	Republic of Korea	30 September 2014
Elsa Kelly	Argentina	30 September 2020
David J. Attard	Malta	30 September 2020
Markiyan Z. Kulyk	Ukraine	30 September 2020